

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

BERT MEYER, ) Civil No.: CV04 00049 HG-BMK  
) (In Admiralty)  
Plaintiff, )  
) AFFIDAVIT OF THOMAS E.  
vs. ) IRONS; EXHIBITS "A" - "H"  
)  
MATSON NAVIGATION COMPANY, )  
INC.; and PACIFIC )  
LIVESTOCK, INC., )  
)  
Defendants. )  
\_\_\_\_\_ )

AFFIDAVIT OF THOMAS E. IRONS

STATE OF HAWAII )  
) ss.  
CITY & COUNTY OF HONOLULU )

Thomas E. Irons, being first sworn on oath,  
deposes and says that:

1. I am an attorney with Hughes & Taosaka and  
I am one of the attorneys representing Pacific  
Livestock, Inc. ("PLI") in this matter.

2. Matson Navigation Company, Inc., PLI,  
Plaintiff Bert Meyer and Matson Terminals, Inc. engaged  
in mediation with San Francisco based mediator Harris

Weinberg on January 11, 2006. The mediation is scheduled to continue on April 21, 2006.

3. Attached as Exhibit "A" is a true and correct copy of excerpts taken from the condensed deposition transcript of Paul A. Londynsky.

4. Attached as Exhibit "B" is a true and correct copy of excerpts taken from the condensed deposition transcript of Keahi Birch.

5. Attached as Exhibit "C" is a true and correct copy of excerpts taken from the condensed deposition transcript of Daniel Farney.

6. Attached as Exhibit "D" is a true and correct copy of excerpts taken from the condensed deposition transcript of Plaintiff Bert Meyer.

7. Attached as Exhibit "E" is a true and correct copy of excerpts taken from the recorded statement of Plaintiff Bert Meyer, which Plaintiff has filed in support of his opposition to Matson Navigation Company, Inc.'s motion for summary judgment.

8. Attached as Exhibit "F" is a true and correct copy of excerpts taken from the condensed deposition transcript of Keahi Birch.

9. Upon information and belief, attached as Exhibit "G" is a true and correct copy of a pre-inspection report on the Lihue dated October 1, 2002, which was sent to attorney Richard K. Griffith by Randy Baldemor, counsel for Matson Navigation Company, Inc., on September 8, 2005.

10. Attached as Exhibit "H" is the form of pleading PLI seeks leave to file.

FURTHER AFFIANT SAYETH NAUGHT

  
\_\_\_\_\_  
THOMAS E. IRONS

Subscribed and sworn to before  
me this 30th day of January, 2006

  
\_\_\_\_\_  
Notary Public, State of Hawaii  
Print Name: JAN T. TOMIMBANG

My Commission expires: 3/10/09

